

United States District Court

NORTHERN

DISTRICT OF

CALIFORNIA

UNITED STATES OF AMERICA

E-FILING

V.

Ramon LOPEZ-Aguilar

CRIMINAL COMPLAINT

RICHARD W. WIEKING
CLERK
DISTRICT COURT
NO. DIST. OF CA. S.J.

07-70754 PWT

CASE NUMBER:

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On a date unknown but no later than, April 18, 2007, in Salinas Valley in the Northern District of California defendant(s)

Unlawfully re-entered and was found in the United States after deportation, without the permission of the Attorney General

in violation of Title 8 United States Code, Section(s) 1326
I further state that I am a(n) Deportation Officer and that this complaint is based on the following
facts:

SEE ATTACHED AFFIDAVIT

PENALTIES: \$250,000.00 fine, twenty years imprisonment and \$100.00 special assessment fee and a Term of Supervised Release up to three years.

Requested bail: Issue no bail warrant.

APPROVED AS TO FORM:

ASSISTANT UNITED STATES ATTORNEY

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Signature of Complainant

Sworn to before me and subscribed in my presence,

December 19, 2007
Date

at

San Jose, California
City and State

Patricia V. Trumbull
UNITED STATES MAGISTRATE JUDGE
Name & Title of Judicial Officer

Patricia V. Trumbull
Signature of Judicial Officer

RE: Ramon LOPEZ-Aguilar

A# 23 014 520

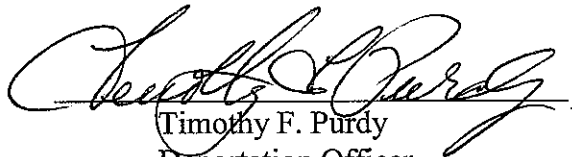
I, Timothy F. Purdy, am a Deportation Officer of the United States Department of Homeland Security, Immigration and Customs Enforcement (ICE). I have been employed by this agency, U.S. Customs & Border Protection and the former Immigration and Naturalization Service (INS), since October 1, 2002. I am currently assigned to the Criminal Alien Program at the San Jose, California Sub-Office. In such capacity, I have reviewed the official immigration "A-File" relating to the above named defendant, which attests to the following:

- (1) The DEFENDANT, Ramon LOPEZ-Aguilar, is a 40 year-old male, citizen and native of Mexico, born on September 9, 1967, in San Luis s'Rios Colorado, Son, Mexico, as substantiated by his birth certificate, his form I-181 dated 7/26/1978, his I-90 dated 3/17/1980 and statements he made when interviewed on April 18, 2007 by Immigration Enforcement Agent (IEA) Alejandro Sierra;
- (2) The DEFENDANT has been assigned Alien Registration number of A 23 014 520, FBI number of 77635MB9, and California Criminal State ID Number of A07554387;
- (3) On December 4, 1986, the DEFENDANT was convicted in the Superior Court of California – County of Los Angeles, of the offenses of: ROBBERY/USING A FIREARM, a felony, in violation of California Penal Code Section 211, KIDNAPPING/USING A FIREARM, a felony, in violation of California Penal Code Section 207(A), RAPE/ETC: IN CONCERT W/FORCE/VIOLENCE, a felony, in violation of California Penal Code Section 264.1, ORAL COPULATION BY FORCE: UNDER 14 YRS OLD, a felony, in violation of California Penal Code Section 288(A)(C), SODOMY W/PERSON UNDER 14 YRS OLD W/ FORCE a felony, in violation of California Penal Code Section 286(C), for which the DEFENDANT was sentenced to twenty-eight years in state prison. This offense is defined as an aggravated felony under Title 8, United States Code, Sections 1101(a)(43)(A & F);
- (4) On May 13, 2004, the DEFENDANT was determined to be unlawfully present in the United States by order of the Immigration Judge, EOIR, San Diego, CA and ordered removed from the United States to Mexico vis-a-via the port of entry at San Ysidro, CA;
- (5) On March 8, 2006, the DEFENDANT was convicted in the Superior Court of California – County of Los Angeles, of the offense of: FELON IN POSSESSION OF A FIREARM, a felony, in violation of California Penal Code Section 12021(A)(1), for which the DEFENDANT was sentenced to two years and eight months in state prison. This offense is defined as an aggravated felony under Title 8, United States Code, Section 1101(a)(43)(E);

RE: Ramon LOPEZ-Aguilar

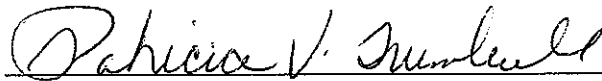
A# 23 014 520

- (6) On, April 18, 2007, the DEFENDANT was encountered by IEA Alejandro Sierra, at the Salinas Valley State Prison {Monterey County}, and determined to be unlawfully present in the United States after a prior deportation. IEA Sierra, advised the DEFENDANT his Miranda rights in the Spanish language;
- (7) The DEFENDANTS official A-File does not contain any record or indication that he either requested or received permission from the Secretary of the Department of Homeland Security or the Attorney General of the United States to reenter the United States;
- (8) Based on the above stated information, this Officer believes there is sufficient probable cause that the DEFENDANT is present within the United States in violation of Title 8, United States Code, Section 1326.



Timothy F. Purdy
Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me this 19 day of December 2007



Patricia V. Trumbull
UNITED STATES MAGISTRATE JUDGE